



## **Checklist for Evaluation of Local Phase III Programs**

There are two sections of this Checklist; Section 1 includes the *Local Land Development Ordinance Requirements* and Section 2 includes the *General Performance Criteria*. These two sections will be used for the evaluation of local Phase III programs. The *Local Land Development Ordinance Requirements* focuses on determining whether local government land development ordinances have incorporated specific requirements tied to the regulations, as required by 9 VAC 10-20-191 A Subsections 4 and 5. This Section determines if these specific requirements have been included within a locality's land development ordinances and requests specific reference to the location of these requirements within the ordinances. It is important to note that these requirements only apply to plats and plans that are filed for properties within Chesapeake Bay Preservation Areas. For Section 1, all responses must be affirmative, as all elements are clearly required by the Regulations.

The purpose of the *General Performance Criteria* in Section 2 is to evaluate whether local land development ordinances already include specific language that promotes minimizing land disturbance and impervious cover and maximizes the protection of existing vegetation within Chesapeake Bay Preservation Areas as required under 9 VAC 10-20-120 Subsections 1, 2 and 5. The Regulations identify these three performance criteria as priority measures to protect the quality of state waters. This Section includes possible measures that implement the three general performance criteria that may be contained within a locality's land development ordinances. Each measure included in Section 2 has been assigned a value of one point and each contributes in some way towards water quality protection. There is also space for a local government to add specific measures that are included in an ordinance, but which are not included in this portion of the Checklist. Each of these additional measures that Department staff agrees contributes to water quality protection will also receive one point.

In completing both sections of this Checklist, Department staff will review local government ordinances and other documents that have been adopted by the local governing body for inclusion of the measures on the Checklist, point values will be added, and a minimum score will be identified to determine if a locality's ordinances and other adopted mechanisms adequately address the general performance criteria. While the Department intends to undertake the review of ordinances and other adopted mechanisms using this Checklist, local governments are encouraged to do so themselves if they so choose. If a local government does review their

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ordinances and adopted documents and completes this Checklist, Department staff will review the completed Checklist.

In order to complete or review this Checklist, the Department is requesting copies of pertinent land development ordinances and other adopted documents. For the purpose of this review, **other adopted documents** *should include only those documents that are adopted by the local governing body and which outline specific requirements related to the development and use of land.* The land development ordinances and other adopted documents that are provided to the Department should include specific standards that would address the requirements outlined in Section 1 and which would address one or more of the three general performance criteria as outlined in Section 2. When providing these ordinances and other adopted documents, please indicate which of the three performance criteria the contents of a particular ordinance or adopted document may address. For instance, a landscape ordinance may include standards that would address the requirement to maximize the protection of indigenous vegetation.

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## SECTION 1: LOCAL LAND DEVELOPMENT ORDINANCE REQUIREMENTS

1. Do local land development ordinances require the depiction of Resource Protection Area and Resource Management Area boundaries on submitted plats and plans?

(9 VAC 10-20-191 A 4 i)

☐ Yes ☐ No

Which Ordinance(s)? \_\_\_\_\_

Ordinance Section(s): \_\_\_\_\_

Is this information required through some other mechanism? If so, please describe.

\_\_\_\_\_

2. Do local land development ordinances require a notation on plats and plans of the requirement to retain an undisturbed and vegetated 100-foot wide buffer area?

(9 VAC 10-20-191 A 4 i)

☐ Yes ☐ No

Which Ordinance(s)? \_\_\_\_\_

Ordinance Section(s): \_\_\_\_\_

Is this information required through some other mechanism? If so, please describe.

\_\_\_\_\_

3. For areas that require on-site (including remotely located) sewage treatment systems, do local land development ordinances require plats and plans to have a notation regarding the requirement for pump-out for on-site sewage treatment systems?

(9 VAC 10-20-191 A 4 ii)

☐ Yes ☐ No

Which Ordinance(s)? \_\_\_\_\_

Ordinance Section(s): \_\_\_\_\_

Is this information required through some other mechanism? If so, please describe.

\_\_\_\_\_

4. For areas that require on-site (including remotely located) sewage treatments systems, do local land development ordinances require plats and plans to have a notation regarding the requirement for 100% reserve drainfield sites for on-site sewage treatment systems?

(9 VAC 10-20-191 A 4 ii)

☐ Yes ☐ No

Which Ordinance(s)? \_\_\_\_\_

Ordinance Section(s): \_\_\_\_\_

Is this information required through some other mechanism? If so, please describe.

\_\_\_\_\_

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5. Do local land development ordinances require a notation on plats and plans that specifies permitted development in the RPA is limited to water dependent facilities or redevelopment in Resource Protection Areas, including the 100-foot wide vegetated buffer?

(9 VAC 10-20-191 A 4 iii)

☐ Yes ☐ No

Which Ordinance(s)? \_\_\_\_\_

Ordinance Section(s): \_\_\_\_\_

Is this information required through some other mechanism? If so, please describe.

\_\_\_\_\_

6. Does the local government require, within the plan of development review process (i.e. on preliminary, site or subdivision plans, etc.), the delineation of the buildable areas on each lot, based on the performance criteria, local front, side and rear yard setbacks, and any other relevant easements or limitations regarding lot coverage, i.e. submittal plans, etc.?

(9 VAC 10-20-191 A 5)

☐ Yes ☐ No

Which Ordinance(s)? \_\_\_\_\_

Ordinance Section(s): \_\_\_\_\_

Is this information required through some other mechanism? If so, please describe.

\_\_\_\_\_

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## SECTION 2: GENERAL PERFORMANCE CRITERIA

### PART 1: MINIMIZE LAND DISTURBANCE – 9 VAC 10-20-120 1 - 57 QUESTIONS

The minimization of land disturbance can be accomplished through the application of five general techniques included below as five sections. Each of these general techniques is presented below, with examples of more specific requirements that minimize land disturbance. Each affirmative question is worth 1 point. Additionally, space has been provided for the locality to include other options not currently listed and if the Department concurs that these additional provisions contribute to water quality protection, one point will be awarded for each additional provision. The overall minimum score necessary to meet this performance criterion is x points.

#### Section 1A

##### **Open Space Requirements – 17 questions**

For the purposes of the Phase III review, **open space** means the following: *A portion of a development site that is permanently set aside for public or private use and shall not be developed and is maintained in its natural condition, such that the topography and vegetation of the area is unaltered and protected in perpetuity.*

1. Is there a definition of “open space” within an ordinance, or other adopted document that is consistent with the definition outlined above?  
Yes ☐ No ☐  
Definition: \_\_\_\_\_  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
2. Is there an ordinance provision, or other adopted document, that allows flexibility for development intensity or density in exchange for increased open space, preservation of vegetated buffers, etc.?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
3. Is there an ordinance provision, or other adopted document, that allows flexibility **by right** for development intensity or density in exchange for increased open space, preservation of vegetated buffers, etc.?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
4. Is there an ordinance provision, or other adopted document, which requires a portion of a site, other than RPAs and other regulated areas, within an approved development plan to be left in natural, undisturbed condition?  
Yes ☐ No ☐  
Percentage to be left natural: \_\_\_\_\_  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_

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5. Is there an ordinance provision, or other adopted document, that requires a portion of a site, other than RPAs and other regulated areas, within an approved development plan, to be protected through mechanisms such as covenants, easements or similar mechanisms?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
6. Is there an ordinance provision, or other adopted document, that permits cluster development by right?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
7. If there an ordinance provision, or other adopted document, that permits cluster development by right, is it provided for in zoning districts? If so, then in which districts is it permitted by right?  
Yes ☐ No ☐  
Number and type of districts where permitted by right: \_\_\_\_\_  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
8. Are open space requirements within an ordinance, or other adopted document, applicable to anything other than single-family detached residential zoning districts?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
9. Is there an ordinance provision, or other adopted document, that requires the preservation of vegetation in open space as a component of cluster development?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
10. Do open space requirements within an ordinance, or other adopted document, provide for the protection of land, other than RPAs, adjacent to streams or other water bodies, wetlands and lands contiguous to other preserved open space?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
11. Is there an ordinance provision, other adopted document, or local program that allows the locality to place conservation easements on sensitive, publicly owned property?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_  
Local program: \_\_\_\_\_

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12. Is there an ordinance provision, other adopted document, or local program that allows the locality to place conservation easements on sensitive, privately owned property?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Local program: \_\_\_\_\_

13. Does the locality have a preservation zoning district within their Zoning Ordinance that preserves sensitive land?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

14. If the locality has a preservation zoning district, is this district mapped?

Yes ☐ No ☐

Map name and adoption date: \_\_\_\_\_

15. Does the locality have a Purchase of Development Rights (PDR) program that provides for the protection of open space in perpetuity?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Local program: \_\_\_\_\_

16. Is there an ordinance provision, other adopted document, or local program that allows the locality to purchase and preserve open space in perpetuity?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

17. Are there other ordinance provisions, or other specific standards in other adopted documents that provide for the designation and protection of open space within the locality?

Yes ☐ No ☐

Ordinance names and citations: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Other standards:

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## **Section 1B**

### **Clearing and Grading Requirements – 17 questions**

18. Is there an ordinance provision, or other adopted document, that requires that all clearing plans or equivalent (including individual lots) specify limits of clearing?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_



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Other adopted document: \_\_\_\_\_

19. Is there an ordinance provision, or other adopted document, that requires written or other formal approval be provided prior to the commencement of any clearing activities on a site?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

20. Is there an ordinance provision, or other adopted document, that requires the RPA be physically marked on site prior to any clearing and/or grading and throughout the development process?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

21. Is there an ordinance provision, or other adopted document, that requires onsite RPA marking to be removed only after final inspection?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

22. Is there an ordinance provision, or other adopted document, that requires documentation of the condition of the RPA to be provided before and after development to ensure that it remains undisturbed?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

23. Is there an ordinance provision, or other adopted document, that prohibits clearing and grading on certain steep slopes?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Definition of steep slopes: \_\_\_\_\_

24. Is there an ordinance provision that designates other sensitive lands as RPA features?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Definition of other lands: \_\_\_\_\_

25. Is there an ordinance provision, or other adopted document, that designates certain steep slopes as RPA features?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Definition of steep slopes: \_\_\_\_\_

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26. Is there an ordinance provision, or other adopted document, that bases land disturbance permit fees on the square footage of area being disturbed?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

27. Is there an ordinance provision, or other adopted document, that includes a definition of “construction footprint”?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

28. Is there an ordinance provision, or other adopted document, that limits clearing and grading to the construction footprint?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

29. Is there an ordinance provision, or other adopted document, that requires the limits of clearing and grading to be graphically illustrated on approved plans?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

30. Is there an ordinance provision or other adopted document that requires the limits of clearing and grading to be physically marked onsite?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

31. Is there an ordinance provision, or other adopted document, that limits access to the site to one point during construction?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

32. Is there an ordinance provision, or other adopted document, that limits access to sites, both during construction as well as permanently, in order to protect sensitive features?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Sensitive features protected: \_\_\_\_\_

33. Is there an ordinance provision or other adopted document that restricts limits of clearing or authorizes staff to establish restrictions on limits of clearing?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

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Other adopted document: \_\_\_\_\_

34. Are there other ordinance provisions, or other specific standards in other adopted documents that provide specific standards that limit clearing and grading on development sites in the locality?

Yes ☐ No ☐

Ordinance names and citations: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Other standards:

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## **Section 1C**

### **Utility and Easement Requirements (Public and Private) – 11 questions**

35. Is there an ordinance provision, or other adopted document, that establishes limits of clearing for utilities and/or temporary construction easements for utilities?

Yes ☐ No ☐ Ordinance name and

citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

36. Is there an ordinance provision, or other adopted document, that requires approval of utility installation plans, including temporary construction areas, prior to land disturbance?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

37. Is there an ordinance provision, or other adopted document, that requires a replanting plan when vegetation is removed for temporary construction easements?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

38. Is there an ordinance provision, or other adopted document, that requires the placement of public utilities within the right-of-way for public or private roads?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

39. Is there an ordinance provision, or other adopted document, that allows the placement of public utilities within the right-of-way for public or private roads?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

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40. Is there an ordinance provision, or other adopted document, that requires the placement of public utilities within alleys, when present?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

41. Is there an ordinance provision, or other adopted document, that allows the placement of public utilities within alleys, when present?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

42. Is there an ordinance provision, or other adopted document, that requires private utility plans to be reviewed for Bay Act compliance?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

43. Is there an ordinance provision, or other adopted document, that requires public utility plans to be reviewed for Bay Act compliance?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

44. Does the locality require franchise agreements for private utilities to adhere to Bay Act requirements?

Yes ☐ No ☐

List of franchise agreements: \_\_\_\_\_

Number of agreements that require Bay Act compliance: \_\_\_\_\_

45. Are there other ordinance provisions, or other specific standards in other adopted documents, that provide specific standards that limit land disturbance for public utilities?

Yes ☐ No ☐

Ordinance names and citations: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Other standards:

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## **Section 1D**

### **Low Impact Development Concepts – 8 questions**

46. Does the locality have obstacles in their ordinances that prevent retaining natural vegetated open space on a site?

Yes ☐ No ☐

Types of obstacles encountered provided: \_\_\_\_\_

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47. Does the locality provide incentives for retaining natural vegetated open space on a site?

These incentives may include intensity or density bonuses, stormwater credit, etc.

Yes ☐ No ☐

Types of incentives provided:\_\_\_\_\_

48. Is there an ordinance provision, or other adopted document, that requires low impact development techniques be considered during the plan review process and mandated when technically feasible?

Yes ☐ No ☐

Ordinance name and citation:\_\_\_\_\_

Other adopted document:\_\_\_\_\_

49. Are LID practices permitted by local ordinance provisions or other adopted documents?

Yes ☐ No ☐

Ordinance name and citation:\_\_\_\_\_

Other adopted document:\_\_\_\_\_

50. Do local ordinance provisions, or other adopted documents, allow flexibility in practices such as curb and gutter, to enable the implementation of LID practices?

Yes ☐ No ☐

Ordinance name and citation:\_\_\_\_\_

Other adopted document:\_\_\_\_\_

51. Is there a definition of “Low Impact Development” within a local ordinance or other adopted document?

Yes ☐ No ☐

Ordinance name and citation:\_\_\_\_\_

Other adopted document:\_\_\_\_\_

Definition:\_\_\_\_\_

52. Are there ordinance provisions or other adopted documents that require the integration of natural drainage patterns into overall drainage plans?

Yes ☐ No ☐

Ordinance name and citation:\_\_\_\_\_

Other adopted document:\_\_\_\_\_

53. Are there other ordinance provisions, or other specific standards in other adopted documents, that provide for LID practices that limit land disturbance?

Yes ☐ No ☐

Ordinance names and citations:\_\_\_\_\_

Other adopted document:\_\_\_\_\_

Other standards:

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## **Section 1E**

### **Better Site Design Concepts – 4 questions**

54. Is there an ordinance provision, or other adopted document, that requires a natural resources (or environmental) assessment as the initial part of the plan of development review process (i.e. pre-submission/ pre-application requirement for site plans, preliminary subdivision plats, etc. )

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

55. Is there an ordinance provision, or other adopted document, that requires a natural resources (or environmental) assessment to be taken into consideration in the site design?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

56. Is there a definition of “natural resource assessment” or “environmental assessment” within an ordinance or other adopted document?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Components of a natural resource assessment or environmental assessment:

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57. Is there an ordinance provision, or other adopted document, that requires conservation design for large-scale commercial, industrial, office or residential development?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Other standards:

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## **PART 2 - PRESERVE INDIGENOUS VEGETATION – 9 VAC 10-20-120 2 – 35 QUESTIONS**

The preservation of indigenous vegetation can be accomplished through the application of three general techniques included below as three sections. Each of these general techniques is presented below, with examples of more specific requirements that minimize land disturbance. Each affirmative question is worth 1 point. Additionally, space has been provided for the locality to include other options not currently listed and if the Department concurs that these additional provisions contribute to water quality protection, one point will be awarded for each additional provision. The overall minimum score necessary to meet this performance criterion is x points.

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## **Section 2A**

### **Sensitive Land Protection/Preservation – 8 questions**

1. Is there an ordinance provision, or other adopted document, that establishes conservation corridors or equivalent conservation areas?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
2. Is there an ordinance provision, or other adopted document, that requires the assessment of the quality of vegetation on development sites?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
3. Is there an ordinance provision, or other adopted document, that establishes riparian vegetated buffers adjacent to non-perennial water bodies or wetlands not required to be included as RPAs?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
4. Is there an ordinance provision, or other adopted document, that requires the permanent marking of the RPA boundaries?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
5. If the locality does require the permanent marking of RPA boundaries, does this requirement apply to all zoning districts? If not all zoning districts, in which districts does this requirement apply?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_  
Zoning Districts: \_\_\_\_\_
6. Is there an ordinance provision, or other adopted document, that requires a portion of any open space to be left in natural condition and undisturbed?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_  
Percentage to be left natural: \_\_\_\_\_
7. Is there an ordinance provision, or other adopted document, that requires a building setback from the RPA boundary?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_

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Setback width: \_\_\_\_\_

8. Are there other ordinance provisions, or other specific standards in other adopted documents, that protect or preserve sensitive lands?

Yes ☐ No ☐

Ordinance names and citations: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Other standards:

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## **Section 2B**

### **Vegetation and Tree Protection Requirements – 22 questions**

9. Does the locality have a tree protection ordinance that protects existing trees (if permitted by state law)?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

10. Is there a landscape ordinance, or other adopted document, that is intended, in part, to protect water quality? This could be a statement included in the purpose statement or other language.

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

11. Are there ordinance provisions, or other adopted documents, that include more specific tree preservation requirements for the preservation of stands of trees or specimen trees.

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

12. Is there an ordinance provision, or other adopted document, that includes the preservation of contiguous wooded areas?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

13. Is there an ordinance provision, or other adopted document, that awards credit for maintaining indigenous vegetation when meeting landscaping requirements?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

14. Is there an ordinance provision, or other adopted document, that requires the re-vegetation of RPA buffers when they are impacted?



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Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

15. Is there a landscape ordinance, or other adopted document, that requires vegetated non-RPA buffers to be left undisturbed and supplemented when not adequate?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

16. Is there an ordinance provision, or other adopted document, that requires vegetated buffers along public right-of-ways?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

17. If there are requirements for vegetated buffers along public right-of-ways, do these requirements include penalties for encroachments or disturbances to existing or new vegetation?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

18. Does the locality have a local street tree ordinance, or other adopted document, that requires trees in residential and commercial zoning districts?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

19. Is there an ordinance provision, or other adopted document, that requires donations to a tree mitigation fund that provides for the re-establishment of buffers along waterways or contiguous open space?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

20. Is there an ordinance provision, or other adopted document, that includes clear language to protect all trees, not just those over a certain diameter.

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

21. Is there an ordinance provision, or other adopted document, that establishes a cost-share program to restore vegetated buffers on pre-Bay Act lots?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

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22. Is there an ordinance provision, or other adopted document, that requires the release of landscape bonds to be tied to issuance of Certificate of Occupancy?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
23. Is there an ordinance provision, or other adopted document, that requires landscape bonds be obtained prior to the issuance of a building permit?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
24. Is there an ordinance provision, or other adopted document, that requires landscape bonds be obtained prior to the approval of a development plan?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
25. Is there an ordinance provision, or other adopted document, that allows for the consolidation of required planting islands in parking lots to protect and preserve stands of existing trees?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
26. Is there an ordinance provision, or other adopted document, that protects vegetation through a landscape plan maintenance agreement prior to the recordation of lots?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
27. Is there an ordinance provision, or other adopted document, that requires the replacement of required vegetation if it does not survive for up to 2 years?  
Yes ☐ No ☐ Amount of time: \_\_\_\_\_  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
28. Is there an ordinance provision, or other adopted document, that requires the restoration of vegetation within the RPA buffer for any permitted encroachment?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
29. Is there an ordinance provision, or other adopted document, that allows the incorporation of biofiltration plantings in areas of existing or proposed landscaping??  
Yes ☐ No ☐  
Ordinance names and citations: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_

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30. Are there other ordinance provisions, or other specific standards in other adopted documents, that protect or preserve existing vegetation and/or trees?

Yes ☐ No ☐

Ordinance names and citations: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Other standards:

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## **Section 2C**

### **Better Site Design Concepts – 5 questions**

31. Are cluster or conservation design techniques allowed by right in rural areas or rural zoning districts?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

32. Does the locality require, through an ordinance or other adopted document, conservation design to be undertaken before land disturbance is approved?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

33. Is there an ordinance provision, or other adopted document, that requires a natural resources (or environmental) assessment as an initial part of the plan of development review process (i.e. pre-submission/ pre-application requirement for site plans, preliminary subdivision plats, etc. )

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

34. Is there an ordinance provision, or other adopted document, that requires a natural resources (or environmental) assessment to be accomplished prior to the issuance of clearing or grading permits?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

35. Does an ordinance, or other adopted document, include a definition of “vegetation”?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Definition: \_\_\_\_\_

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Other standards:

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## **PART 3 - MINIMIZE IMPERVIOUS COVER – 9 VAC 10-20-120.5 – 45 QUESTIONS**

The minimization of impervious cover can be accomplished through the application of five general techniques included below as five sections. Each of these general techniques is presented below, with examples of more specific requirements that minimize land disturbance. Each affirmative question is worth 1 point. Additionally, space has been provided for the locality to include other options not currently listed and if the Department concurs that these additional provisions contribute to water quality protection, one point will be awarded for each additional provision. The overall minimum score necessary to meet this performance criterion is x points.

### **Section 3A**

#### **Parking Requirements – 16 questions**

*For the purposes of this evaluation, the Department considers gravel, asphalt, concrete, and other hard-packed surfaces to be impervious.*

1. Is there an ordinance provision, or other adopted document, that sets maximum parking space requirements?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
2. Is there an ordinance provision, or other adopted document, that permits or requires the use of alternative pervious surfaces for overflow parking areas?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
3. Is there an ordinance provision, or other adopted document, that allows alternative pervious surfaces for all required parking areas?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
4. Are there ordinance provisions, or other adopted documents, that vary parking requirements for different zoning districts and uses?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
5. Are there ordinance provisions, or other adopted documents, that allow for shared and off-site parking in certain zoning districts, such as commercial and office districts?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_

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Districts where allowed:\_\_\_\_\_

6. Is there an ordinance provision, or other adopted document, that allows bike and motorcycle parking in lieu of auto spaces?  
Yes ☐ No ☐  
Ordinance name and citation:\_\_\_\_\_  
Other adopted document:\_\_\_\_\_
7. Is there an ordinance provision, or other adopted document, that requires a percentage of parking spaces for compact cars?  
Yes ☐ No ☐  
Ordinance name and citation:\_\_\_\_\_  
Other adopted document:\_\_\_\_\_  
Percentage of total: \_\_\_\_\_  
Size of compact car spaces: \_\_\_\_\_
8. Is there an ordinance provision, or other adopted document, that provides incentives for structural parking versus surface parking?  
Yes ☐ No ☐  
Ordinance name and citation:\_\_\_\_\_  
Other adopted document:\_\_\_\_\_
9. Is there an ordinance provision, or other adopted document, that allows structural parking versus surface parking?  
Yes ☐ No ☐  
Ordinance name and citation:\_\_\_\_\_  
Other adopted document:\_\_\_\_\_
10. Is there an ordinance provision, or other adopted document, that limits the width of travel lanes in parking areas to the minimum required by VDOT standards?  
Yes ☐ No ☐  
Ordinance name and citation:\_\_\_\_\_  
Other adopted document:\_\_\_\_\_
11. Is there an ordinance provision, or other adopted document, that allows single aisles versus double aisles in parking areas?  
Yes ☐ No ☐  
Ordinance name and citation:\_\_\_\_\_  
Other adopted document:\_\_\_\_\_
12. Is there an ordinance provision, or other adopted document, that limits the size of parking stalls to 9' by 18', for all parking stalls except handicapped stalls?  
Yes ☐ No ☐  
Ordinance name and citation:\_\_\_\_\_  
Other adopted document:\_\_\_\_\_
13. Is there an ordinance provision, or other adopted document, that sets out maximum loading areas for parking areas?

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Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

14. Is there an ordinance provision, or other adopted document, that requires parking lots to be configured to limit the impervious coverage?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

15. Is there an ordinance provision or other adopted document that allows on-street parking to count towards required minimum parking spaces?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

16. Are there other ordinance provisions, or other specific standards in other adopted documents, that minimize impervious cover in parking lot requirements?

Yes ☐ No ☐

Ordinance names and citations: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Other standards:

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## **Section 3B**

### **Low Impact Development Concepts – 7 questions**

17. Does an ordinance, or other adopted document, include a definition of “lot coverage”

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Definition: \_\_\_\_\_

18. Does the definition of “lot coverage” in an ordinance, or other adopted document, include all impervious surfaces, such as buildings, structures, decks, driveways, patios, parking lots and sidewalks, etc?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

19. Does an ordinance or other adopted document include definition “impervious cover” or “impervious surface”?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

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Definition: \_\_\_\_\_

20. Is there an ordinance provision, or other adopted document, that sets maximum impervious coverage or lot coverage for lots and/or parcels based on zoning districts?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Zoning districts and percentage of impervious coverage allowed:

\_\_\_\_\_  
\_\_\_\_\_

21. Is there an ordinance provision, or other adopted document, that requires low impact development techniques be considered during the plan review process and mandated when technically feasible?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

22. Is there an ordinance provision, or other adopted document, that allows or encourages an increased building height to limit impervious coverage?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

23. Are there other ordinance provisions, or other specific standards in other adopted documents, that provide for LID practices that limit impervious cover?

Yes ☐ No ☐

Ordinance names and citations: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Other standards:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **Section 3C**

### **Redevelopment and Infill Development Concepts – 5 questions**

24. Are there ordinance provisions that promote infill and redevelopment through such techniques as tax abatements, fast-track reviews, etc or through other methods?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Promotion methods: \_\_\_\_\_

25. Is there an ordinance provision, or other adopted document, that allows green roofs on redevelopment projects in urban areas?

Yes ☐ No ☐

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Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

26. Is there an ordinance provision, or other adopted document, that requires the maintenance of new vegetation on redevelopment projects in urban areas?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

27. Is there an ordinance provision, or other adopted document that minimizes impervious cover on redevelopment projects in urban areas?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

28. Are there other ordinance provisions, or other specific standards in other adopted documents, that provide for redevelopment or infill projects?

Yes ☐ No ☐

Ordinance names and citations: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

Other standards:

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## **Section 3D**

### **Road Design Requirements – 10 questions**

29. Does the locality include, within an ordinance, or other adopted document, design requirements that allow for reduced street widths where alternative transportation systems are incorporated (i.e. mass transit, pedestrian walkways, bike ways, etc.) ?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

30. Is there an ordinance provision, or other adopted document, that establishes a maximum radii of cul-de-sacs consistent with industry standards?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_

31. Is there an ordinance provision, or other adopted document, that allows the use of islands in center of a cul-de-sac for infiltration of runoff?

Yes ☐ No ☐

Ordinance name and citation: \_\_\_\_\_

Other adopted document: \_\_\_\_\_



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32. Is there an ordinance provision, or other adopted document, that requires the preservation of existing vegetation in the center of a cul-de-sac?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
33. Is there an ordinance provision, or other adopted document, that permits the pavement width of private roads to be narrower than VDOT standards?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
34. Is there an ordinance provision, or other adopted document, that permits subdivision roads without curb and gutter?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_  
What type of streets are permitted without curb and gutter? \_\_\_\_\_
35. Is there an ordinance provision, or other adopted document, that allows flexibility to the curb and gutter requirements?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_  
What type of streets are permitted without curb and gutter? \_\_\_\_\_
36. Is there an ordinance provision, or other adopted document, that allows breaks in curbs and gutters for water quality purposes?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_  
What type of streets are permitted without curb and gutter? \_\_\_\_\_
37. Is there an ordinance provision, or other adopted document, that limits turn lanes and other pavement requirements to the minimum VDOT standards?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_  
What type of streets are permitted without curb and gutter? \_\_\_\_\_
38. Are there other ordinance provisions, or other specific standards in other adopted documents, that limit impervious coverage of roads?  
Yes ☐ No ☐  
Ordinance names and citations: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_

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Other standards:

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## **Section 3E**

### **Pedestrian Pathways and Driveways – 7 questions**

39. Is there an ordinance provision, or other adopted documents, that permits shared driveways?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
40. Is there an ordinance provision, or other adopted document, that allows reduced front yard setbacks?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
41. Is there an ordinance provision, or other adopted document, that allows reduced front yard setbacks to shorten driveway length?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
42. Is there an ordinance provision, or other adopted document, that provides for alternative permeable surfaces for driveways?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
43. Is there an ordinance provision, or other adopted document, that permits sidewalks to be located only along one side of a street?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
44. Is there an ordinance provision, or other adopted document, that provides for the use of alternative permeable materials for sidewalk construction?  
Yes ☐ No ☐  
Ordinance name and citation: \_\_\_\_\_  
Other adopted document: \_\_\_\_\_
45. Are there other ordinance provisions, or other specific standards in other adopted documents, that limit impervious coverage of sidewalks and driveways?  
Yes ☐ No ☐  
Ordinance names and citations: \_\_\_\_\_

# DRAFT – 11/16/2007

Other adopted document: \_\_\_\_\_

Other standards:

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